

BEFORE THE
POSTAL REGULATORY COMMISSION
WASHINGTON, DC 20268-0001

Retail Access Optimization Initiative

Docket No. N2011-1

TESTIMONY OF FREDERICK D. FOSTER OBJECTION TO RAOI

(September 16, 2011)

I, Frederick D Foster object to the USPS proposed RAOI. The proposed RAOI is a direct contradiction of the US Constitution, 39 USC, the PAEA, and the implied authority given to the USPS. If implemented, the result will be further deterioration of the fabric of the Nation and the USPS.

It is the position of F D Foster that when referring to the Nation's mail, the USPS neglected its powers and responsibilities as outlined and intended in the aforementioned documents. The implied authority as outlined in the Congressional "POWER TO PROTECT THE MAIL" states, "The postal powers of Congress embrace all measures necessary to insure the safe and speedy transit and prompt delivery of the mails". The 2006 Postal Accountability Enhancement Act identifies 'the delivery of mail and access to mailboxes' as a Postal Monopoly.

It is the position of F D Foster that this authority applies to all mail, physical or electronic (email). Mail is mail.

Letter: a written or printed communication directed to an individual or organization
Mail: Postal material for a specific person or organization (*The American Heritage Dictionary*).

The fact that mail is mail is further demonstrated by the simultaneous decline in physical mail volume and the rise in electronic mail volume, and the migration of the mailing customer to electronic mail (245,000,000 USA Internet users *Internet World Stats internetworldstats.com*).

In late 2006, early 2007, F D Foster introduced his findings to the Strategic Planning Department of the USPS stating that the Nation's mail is being compromised by cyber criminals and the Internet service providers who do not have the authority to deliver mail and these same Internet service providers are responsible for the declining financial condition of the USPS. Moreover, it is the responsibility of the USPS to protect our Nation's mail. Since 2007 to the present, F D Foster has authored numerous documents of which were forwarded to the Postmaster General, GAO, OIG, House of Representatives, Senate, DOC, PRC, and other government agencies that regulate Postal Operations. On February 24th and April 19th, 2011 the USPS Office of the Inspector General released two detailed

reports entitled "The Postal Service Role In The Digital Age", RARC-WP-11-002 and RARC-WP-11-003, both of which further compounded the findings of F D Foster.

In closing, it is the position of F D Foster that the RAOI is not a viable solution to the present and future condition of the USPS. The proposed closing of the facilities will result in actions contrary to the USPS future "Role In The Digital Age". These strategically placed facilities will play an integral role in facilitating the physical applications of the Postal Service Role In The Digital Age (further explanation in F D Foster Testimony RAOI 2). As identified by the OIG reports, the USPS must apply its implied authority and government mandates to all mail, utilizing modern methods to insure the safe and speedy transit and prompt delivery of the mails.

This testimony is only a partial testimony of F D Foster, as it is intended to brief the PRC on our position.

Respectfully Submitted,
/s/ F F
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Docket No. N2011-1

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